

Docket No. 4859-0029-0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Koichi SUGITA, et al.

SERIAL NUMBER: 09/477,730

ATTN: BOX MISSING PARTS

FILING DATE: January 5, 2000

FOR: NOVEL VECTOR FOR INTRODUCING A GENE INTO A PLANT USING A SELECTABLE
MARKER

FILING OF DECLARATION UNDER 37 CFR 1.53(f)

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231



SIR:

Responsive to the notification dated February 14, 2000, and in accordance with the provisions of 37 CFR 1.53(f),
Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is
earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature of Norman F. Oblon in black ink.

Norman F. Oblon
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Registration No. 24,618

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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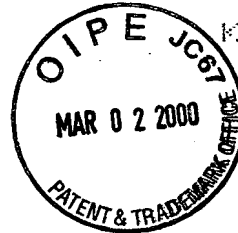
9-16-00

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/477,730 01/05/00 SUSITA

0222/0214

OBLON SPIVAK MCCLELLAND MAIER &
NEUSTADT PC
1755 JEFFERSON DAVIS HIGHWAY FOURTH FL
ARLINGTON VA 22202



4859-0029-0

1643

DATE MAILED:

02/14/00

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

Decl Due 4-14-00

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 0 PAID

- ☐ 1. The statutory basic filing fee is:
- ☐ missing.
 - ☐ insufficient.
- Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☐ 2. The following additional claims fees are due:
- \$ _____ for _____ total claims over 20.
 - \$ _____ for _____ independent claims over 3.
 - \$ _____ for multiple dependent claim surcharge.
- Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.
- ☒ 3. The oath or declaration:
- ☒ is missing or unsigned.
 - ☐ does not cover the newly submitted items.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application was filed in a language other than English.
- Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- ☐ 9. OTHER: _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

G. Mollat
Customer Service Center
Initial Patent Examination Division (703) 308-1202

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

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PATENT, TRADEMARK AND COPYRIGHT LAW
AND RELATED FEDERAL AND ITC LITIGATION



ATTN: BOX MISSING PARTS

**THIS IS A RESPONSE TO A
NOTICE TO FILE MISSING
PARTS OF AN APPLICATION**

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Re: Inventor: Koichi SUGITA, et al.
Serial No: 09/477,730
Filed: January 5, 2000
For: NOVEL VECTOR FOR INTRODUCING A GENE INTO A PLANT
USING A SELECTABLE MARKER

♦SIR:

Attached hereto for filing are the following papers:

**NOTICE TO FILE MISSING PARTS (RETURN COPY); FILING OF DECLARATION UNDER 37
CFR 1.53(f); DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
(EXECUTED, 4 PAGES)**

Our check in the amount of \$0.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND
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Registration No. 24,618

George F. Lesmes
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